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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/726,656	12/04/2003	Sonny Lin	BHT-3125-175	5852

7590 12/27/2005

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EXAMINER	
KRAUSE, JUSTIN MITCHELL	
ART UNIT	**PAPER NUMBER**
3682	

DATE MAILED: 12/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/726,656	LIN, SONNY	
	Examiner	Art Unit	
	Justin Krause	3682	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *04 December 2003*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *04 December 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claim 1 is rejected under 35 U.S.C. 112, first paragraph, because the specification, while being enabling for the handle unit, upper portion of the connector bar unit and the front fork unit, does not reasonably provide enablement for the connector bar unit section describing the retaining block (27). The specification does not enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the invention commensurate in scope with these claims. The specification and claims do not detail the interaction between the retainer block and the toothed portion on the front fork unit. It is unknown what the interaction between these parts is, but this appears to be critical to the functionality of the device.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claim 1, as best understood, is rejected under 35 U.S.C. 103(a) as being unpatentable over Chou (US 2004/0237702) in view of Wu (US 2002/0121155) and Marier (US Patent 4,688,817).

Chou discloses a handlebar structure with a fork unit (30), a connector bar unit (40) and a handle unit (25 in combination with 42), wherein the front fork is coupled with the connector bar unit and the handle unit is joined to the connector bar unit to form a two-stage handlebar adjustment structure.

Chou further discloses a connector bar unit having an engaging cavity (hole in tube 41) disposed at the upper section, a clamping recess opened at one side of the engaging cavity (415), and a pair of clamping flanges (414) symmetrically extending at both sides of the clamping recess, a pivoting hole (562) disposed at the upper section of the clamping flange for a screw rod (61) of a top quick release unit (60).

Chou does not show:

-The front fork unit being made up of a coupling section protruding at the top thereof, two arc guide facets symmetrically indented at both lateral sides of the coupling section thereof, an arc single direction adjusting teeth face defining one top side of the coupling section thereof, and an axial through hole disposed at the middle section thereof

-The connector bar unit also including an inverted U-shaped limiting slot defining the lower section thereof, two pivoting plates extending downwards at both sides of the limiting slot thereof, and a pivoting pin hole disposed at the lower section of each

pivoting plate thereof for a pivot pin to be led and engaged therewith; the upper section of the limiting slot thereof having a securing plane disposed at one side thereon, an inner annular sleeve groove indented at one side of the securing plane thereon and an outer annular sleeve groove communicating with the inner annular sleeve groove via a step-wise through hole through which a screw bolt of a bottom quick-release unit is led there through to be registered with a lower screw nut; a retaining block, properly matched to the securing plane thereof, having a step-wise retaining hole disposed thereon for a spring element to be adapted therein, and an arc single direction retaining teeth facet defining the bottom side thereof;

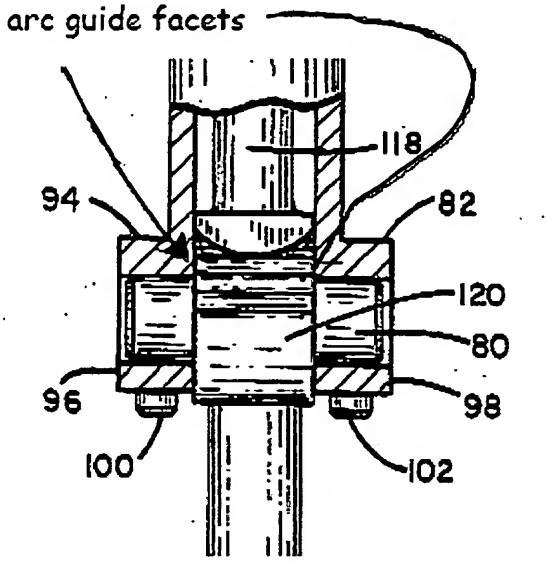
-The handle unit being made up of a support bar having a fixing through hole disposed at the lower section thereon for a locating pin to be adapted and engaged therewith.

Wu teaches a handle unit (4) being made up of a support bar having a fixing through hole disposed at the lower section thereon for a locating pin (400) to be adapted and engaged therewith to prevent the handle from rotating or shifting out of the connector unit (2) (paragraph 0016).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the teachings of Chou and add a retaining pin as taught by Wu as a means of preventing the handle from rotating or shifting out of the connector unit. Chou makes use of a keyway (462) in a functionally equivalent manner.

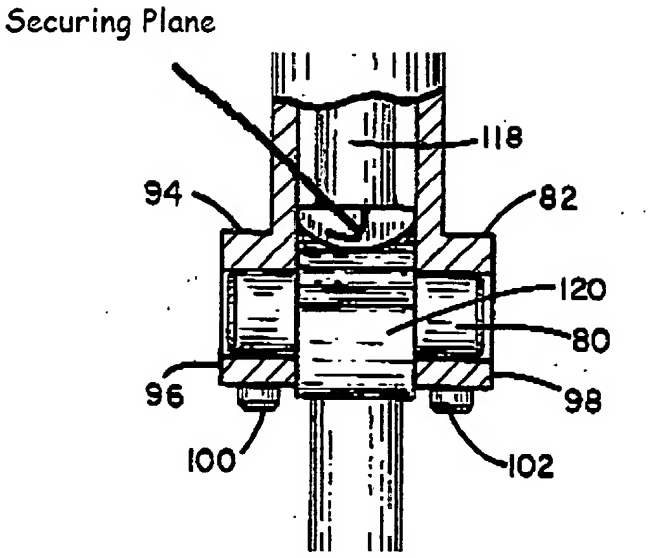
Marier teaches a handlebar structure with:

A front fork unit being made up of a coupling section protruding at the top thereof (120), two arc guide facets symmetrically indented at both lateral sides of the coupling section thereof,

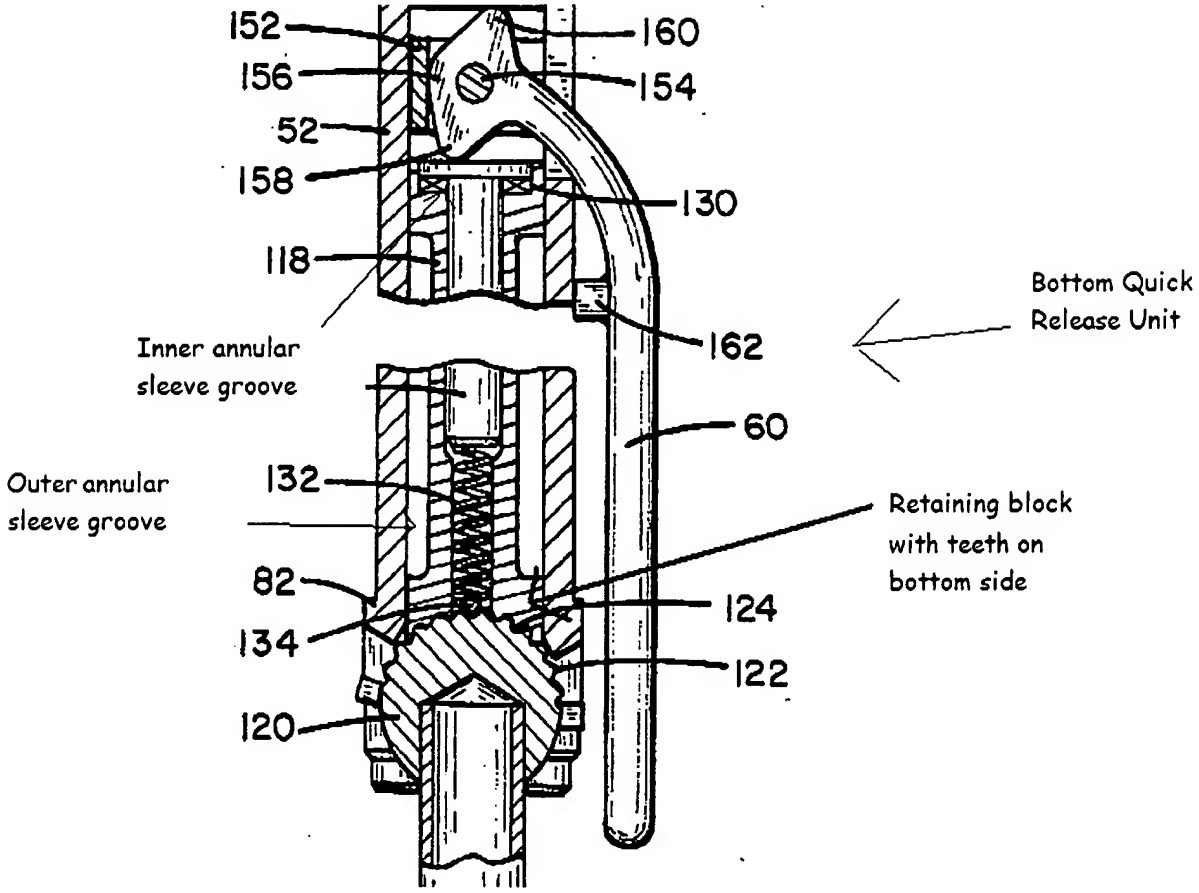


an arc single direction adjusting teeth (124) face defining one top side of the coupling section thereof, and an axial through hole disposed at the middle section thereof.

The connector bar unit also including an inverted U-shaped limiting slot (94 in combination with 96 and 98) defining the lower section thereof, two pivoting plates (94 and 98) extending downwards at both sides of the limiting slot thereof, and a pivoting pin hole (in 82) disposed at the lower section of each pivoting plate thereof for a pivot pin (80) to be led and engaged therewith; the upper section of the limiting slot thereof having a securing plane disposed at one side thereon



an inner annular sleeve groove indented at one side of the securing plane thereon and an outer annular sleeve groove communicating with the inner annular sleeve groove via a step-wise through hole through which a screw bolt (126) of a bottom quick-release unit is led there through to be registered with a lower screw nut; a retaining block, properly matched to the securing plane thereof, having a step-wise retaining hole disposed thereon for a spring element to be adapted therein, and an arc single direction retaining teeth facet defining the bottom side thereof for the purpose of locking the steering column members together (Col. 5, lines 49-53).



It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the teachings of Chou and incorporate the connector bar unit/front fork unit joint as taught by Marier for the purpose of locking the steering column members together. The device of Chou features a functionally equivalent structure (illustrated in Figs 8 and 9 of Chou).

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

5,331,865, 5,465,634 and 5,755,141 disclose an adjustable handlebar stem with a toothed interface

5,887,490 discloses an angle adjustable handlebar assembly

6,206,395 discloses a height and angle adjustable handlebar assembly

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Justin Krause whose telephone number is 571-272-3012. The examiner can normally be reached on Monday - Friday, 7:30-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Ridley can be reached on 571-272-6917. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JMK
12/20/05

RICHARD W. RIDLEY
~~PRIMARY EXAMINER~~
SPE Au 3682